

GUADALUPE-BLANCO RIVER AUTHORITY
Minutes of the Board of Directors
February 21, 2024

The Board of Directors of the Guadalupe-Blanco River Authority met in a regular meeting on February 21, 2024, at the GBRA Annex Building Board Room, 905 Nolan, Seguin, Guadalupe County, Texas. Directors present were Dennis Patillo, Sheila Old, Stephen B. Ehrig, Don B. Meador, Emanuel Valdez, William Carbonara, Patrick Cohoon, John Cyrier, and Robert Blaschke. Present in the Annex Building in Seguin, Texas were Darrell Nichols, General Manager/CEO; Jonathan Stinson, Deputy General Manager; Vanessa Guerrero, Executive Manager of Administration; Randy Staats, Executive Manager of Finance/CFO; Charles Hickman, Executive Manager of Engineering; Nathan Pence, Executive Manager of Environmental Science; David Harris, Executive Manager of Operations; Adeline Fox, Executive Manager of Communications and Outreach; and Joseph Cole, General Counsel.

Chairman Patillo called the meeting to order at 10:00 a.m. and took note of the certifications presented that notice of the meeting had been properly posted in the office of the Secretary of State and at the GBRA office in New Braunfels, Texas, pursuant to Title 5, Chapter 551 of the Texas Government Code. A quorum being present, the following proceedings were had:

Director Valdez led the Pledges of Allegiance to the United States flag and the Texas flag.

The Chairman then called for **Public Comments from the public**. The Chairman introduced and welcomed Kate Villanueva, representing herself, to formally request an expansion of the existing no-wake zone on Lake Dunlap near the boat launch near IH-35, citing public safety concerns and potential damage to private property. The Chairman then recognized John Blount, also representing his wife and himself, who made a formal request for an expansion of the existing

no-wake zone on Lake Dunlap near the boat launch area near IH-35, citing public safety concerns and potential damage to private property.

The Chairman called for **Consent Item 2 - Consideration of and possible action approving the minutes of the January 17, 2024 Board Meeting; Consent Item 3 - Consideration of and possible action approving the monthly financial report for January 2024; Consent Item 4 - Consideration of and possible action approving the monthly operations report for January 2024; and Consent Item 5 - Consideration of and possible action approving Directors' expense vouchers for January 2024.** Upon Motion by Director Ehrig, seconded by Director Blaschke, the Board unanimously approved Consent Items 2, 3, 4, and 5.

The Chairman then called for **General Manager/CEO Item 6 - The General Manager/CEO and staff may report on, and the Board may discuss, executive reports and/or issues relating to GBRA activities including without limitation, the following: Safety Update, GBRA water and sewer utility operations, hydroelectric operations, GBRA facilities management including plants and dams, water resources planning and operation, construction management, economic and community development, project development, accounting and finance, records management, grants and financial assistance, human resources, information technology, communications, social media, education programs, resource protection, weather and climate, river flows and other scientific issues, public and private entities partnering with GBRA, water quality services, community affairs, environmental programs, stewardship, and update on GBRA Safety Work Plan.** Adeline Fox, Executive Manager of Communication and Outreach, introduced and welcomed San'Tres Broussard, GBRA's new Media Specialist. Next, David Harris, Executive Manager of Operations, briefed the Board on new operator licenses, compliance, and ongoing activities. GBRA was

recently awarded a 10-year award from the Texas Commission on Environmental Quality's (TCEQ) Texas Optimization Program for the San Marcos WTP, acknowledging the plant for exceeding State of Texas requirements relating to water quality for public health. Mr. Harris also informed the Board about operator training including basic wastewater and water, pump and system hydraulics, utility safety, and resiliency training. GBRA's new in-house "Golden Weir Award" was recently presented to Buda WWTP for operational excellence. Mr. Harris also briefed the Board on the residential water and wastewater retail growth in the basin. There has been a 12% increase in residential retail connections from 2022 to 2023. GBRA received delivery of a new truck for the Western Canyon WWTP to assist with hydro excavations, sewer cleaning, valve maintenance, and tank cleanings. The Board was provided an update on the status of the Sunfield WWTP expansion project, winter operations, the Western Canyon Mussel Project, preparation for summer water demands, and progress on the Alliance WTP. Next, Amanda Buchanan, Safety and Risk Manager, stated there were two incidents and no lost time reported during this period. During February, training focused on fire extinguisher and fire cabinet safety, and hydrogen sulfide safety awareness. The Hazard Mitigation Action Plan (HMAP) is 60% complete, with two public engagements scheduled in February and completion of a draft HMAP for review in late April 2024. Site visits this month included a safety walk with the GBRA communication team for a WCID event, the annual fire marshal facility inspection at the Seguin Campus, and the Alliance WTP site walk. Next, Randy Staats, Executive Manager of Finance/CFO, briefed the Board on recent financial system updates, including investment management software upgrades. Additionally, GBRA staff has updated GBRA's website to include a presentation on "How to Do Business With GBRA" to assist vendors with navigating the purchasing process and provide contact information. The Government Treasurers' Organization of Texas awarded GBRA a Certificate of Investment Policy for the development of an investment policy that meets the requirements of the Public Funds

Investment Act and the standards for prudent public investing. Mr. Staats also discussed GBRA's future bond activity, including bond transactions and reimbursement resolutions.

Next, the Chairman called for **Action Item 7 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a Wholesale Wastewater Service Agreement between Guadalupe-Blanco River Authority and WB WT West End Estates, LLC for the Grier Tract.** Justin Adkins, Assistant General Counsel, is seeking authorization to negotiate and execute a wholesale wastewater service agreement with WB WT West End Estates, LLC ("West End") for the Grier Tract, which lies within the GBRA Stein Falls Wastewater System service area. West End is requesting that GBRA provide wholesale wastewater service to the tract. To provide the requested wastewater service, GBRA and West End will need to execute an agreement requiring West End to provide construction plans for review by GBRA, construct the system within the tract, connect the infrastructure to GBRA's existing facilities, and pay a connection fee per LUE. Upon Motion by Director Ehrig, seconded by Director Old, the Board unanimously approved Action Item 7 authorizing the General Manager/CEO to negotiate and execute a Wholesale Wastewater Service Agreement between Guadalupe-Blanco River Authority and WB WT West End Estates, LLC for the Grier Tract.

The Chairman called for **Action Item 8 - Declaration by the Board of Directors that such property is surplus and not needed by GBRA and consideration of and possible action authorizing the General Manager/CEO to negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records.** Courtney Kerr-Moore, Deputy General Counsel, is seeking the Board's declaration that certain property is surplus and such interest in real property that is to be conveyed is not needed by GBRA and to authorize the General Manager/CEO to

negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records, as required by Texas Water Code § 49.226. The asset manager of the River Acres RV Park approached GBRA to request an easement to install a new septic line across a road owned by GBRA in Gonzales County, Texas. Ms. Kerr-Moore is also seeking approval for the General Manager/CEO to negotiate any such agreements necessary to effectuate sale of the easement. Upon Motion by Director Cyrier, seconded by Director Blaschke, the Board unanimously approved Action Item 8, declaring that that certain portions of the Property are surplus and such interest in real property that is to be conveyed is not needed by GBRA and authorized the General Manager/CEO to negotiate and execute any such agreements necessary to effectuate the easement sale of approximately 1,214 square feet of real property that is a part of the Extension of Lakeside Subdivision, recorded in Plat Cabinet Slide No. 44-A of the Gonzales County Plat Records. A copy of the Resolution is attached and made a part of these minutes.

The Chairman then called for Action Item 9 - Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of certain water pipeline easements and temporary construction easements for the GBRA Carrizo Groundwater Supply Expansion Project (TX-130 Project) in connection therewith, over, across, upon and under certain privately owned real properties; authorizing all appropriate action by the General Manager/CEO, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed permanent easements and temporary construction easements that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or

initiated by employees, agents, and attorneys of GBRA to acquire such property interests; authorizing all other lawful action necessary and incidental to such acquisitions or eminent domain proceedings to survey, specify, define, and secure the necessary interests in real property; declaring the sections of the Resolution to be severable one from the other in the event any section of the Resolution is determined to be invalid; said properties to be identified to wit:

Parcel ER-03 – Nina S. Sells, being a 0.6077 of one acre (26,472 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 9.297 acres conveyed to Nina S. Sells by General Warranty Deed Dated April 7, 2022, as Recorded in Document No. 2022-002702, Official Public Records, Caldwell County, Texas; said 0.6077 of one acre (26,472 square foot) easement being more particularly described by metes and bounds in Exhibit “A” attached hereto;

Parcel ER-05 – Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013, being a 0.1184 of one acre (5,159 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, Under Declaration of Trust dated May 28, 2013 by Special Warranty Deed dated December 31, 2021, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, said 0.1184 of one acre (5,159 square foot) easement being more particularly described in metes and bounds in Exhibit “B” attached hereto; and

Parcel ER-06 – David O. Marquez and Denise T. Marquez, husband and wife, being a 0.1366 of one acre (5,922 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 6.920 acres conveyed to David O. Marquez and Denise T. Marquez by Warranty Deed with Vendor’s Lien dated May 30, 2014, as recorded in Document No. 142168, Official Public Records of Real Property, Caldwell County, Texas; said 0.1366 of one acre (5,922 square foot) easement being more particularly described by metes and bounds in Exhibit “C” attached hereto.

Courtney Kerr-Moore, Deputy General Counsel, is seeking approval of a Resolution declaring a public necessity for the acquisition of certain water pipeline easement and temporary construction easement for the TX-130 Project. GBRA is expanding the Carrizo Groundwater Supply Project via the TX-130 Project in, over, under, through, and across certain real properties located in Caldwell, Hays, and Guadalupe counties, Texas. Efforts to negotiate for the acquisition

of these necessary properties have been unsuccessful, making proceedings in eminent domain necessary to acquire such needed permanent easements and temporary construction easements. Upon Motion by Director Old, seconded by Director Meador, by a record vote, the Board unanimously approved Action Item 9 approving the proposed Resolution

A copy of the Resolution is attached and made a part of these minutes.

The Chairman called for **Action Item 10 - Consideration of and possible action approving a Resolution by the Guadalupe-Blanco River Authority declaring a public necessity for the acquisition of court orders to obtain right of entry onto a certain property for the purpose of making boundary, topographic, environmental, archeological and geotechnical surveys, and appraisals in connection with the expansion of Western Canyon water pipeline system to an additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas onto said property to be identified to wit:**

Kendall County Appraisal District ID No. 11782, Boerne Ranch Estates, LLS, Kendall County, Texas, and identified on map attached as Exhibit "A".

Courtney Kerr-Moore, Deputy General Counsel, is seeking the Board's approval of a Resolution declaring a public necessity for the acquisition of court orders to obtain right of entry that cannot be acquired through negotiations onto property identified as Kendall County Appraisal District No. 11782, Boerne Ranch Estate, LLC, Kendall County, Texas. This right of entry is a necessary component of adding an additional delivery point for the Cities of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas, relating to GBRA's expansion of the Western Canyon water pipeline system. Upon Motion by Director Valdez, seconded by Director Meador, the Board unanimously approved Action Item 10 approving the proposed Resolution

A copy of the Resolution is attached and made a part of these minutes.

The Chairman called for **Action Item 11 - Consideration of and possible action approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt an RV Park Usage Charge for the Stein Falls Wastewater System.** Randy Staats, Deputy Executive Manager of Finance/CFO, is seeking approval of an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to designate an RV Park Usage Charge for the Stein Falls Wastewater System pursuant to Senate Bill 594, passed during the 88th Texas Legislative Session, requiring RV parks to be charged for wastewater services based on actual water usage.

Upon Motion by Director Blaschke, seconded by Director Ehrig, the Board unanimously approved Action Item 11 approving an amendment to the GBRA Fiscal Year 2024 Work Plan and Budget to adopt an RV Park Usage Charge for the Stein Falls Wastewater System.

Next, the Chairman called for **Action Item 12 - Consideration of and possible action approving a Resolution of the Board of Directors of Guadalupe-Blanco River Authority adopting Board Policy – 403 Investment Policy and the investment strategy contained therein.** Randy Staats, Deputy Executive Manager of Finance/CFO, is seeking approval of a Resolution adopting GBRA Board Policy – 403 Investment Policy and the investment strategy contained therein. Chapter 2256 of the Texas Government Code and GBRA's Board Policy 403 require GBRA's Board of Directors to annually review and adopt the investment policy and the contained investment strategy. The proposed revision includes only one minor update related to a change in title for one of the designated investment officers. Upon Motion by Director Old, seconded by Director Carbonara, the Board unanimously approved Action Item 12 approving a Resolution of the Board of Directors of Guadalupe-Blanco River Authority adopting Board Policy – 403 Investment Policy and the investment strategy contained therein. A copy of the Resolution is attached and made a part of these minutes.

Next, the Chairman called for **Action Item 13 - Consideration of and possible action approving the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit Organizations.** Joe Cole, General Counsel, is seeking the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit organizations. The GBRA Ad-Hoc Committee was charged to consider the Texas Sunset Advisory Commission’s recommendation to review GBRA’s activities with nonprofit organizations every five years and to consider other recommendations of the Sunset Commission. The GBRA Ad-Hoc Committee is proposing adoption of Board Policy – 510 to create guiding principles governing GBRA’s relationships with environmental and water resource nonprofit organizations. Director Meador did not participate in the proposed item. Upon Motion by Director Cyrier, seconded by Director Cohoon, the remaining members of the Board unanimously approved Action Item 13 approving the adoption of Board Policy – 510 Relationships with Environmental and Water Resource Nonprofit Organizations.

Next, the Chairman called for **Action Item 14 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract to repair Western Canyon raw water pumping system components.** David Harris, Executive Manager of Operations, is seeking authorization to contract for the repair of Pump #4 at the Western Canyon raw water pump station that is not performing at the level required to meet the needs of the plant. The estimate for repairs to the pump and motor and reinstallation of the pump is approximately \$125,000. Upon Motion by Director Cohoon, seconded by Director Carbonara, the Board unanimously approved Action Item 14 authorizing the General Manager/CEO to negotiate and execute a contract to repair Western Canyon raw water pumping system components.

Next, the Chairman called for **Action Item 15 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a reimbursement agreement**

with Hays County related to the Hillside Terrace Pipeline Relocation Project. Mikk Griffin, Project Engineer, is seeking authorization to negotiate a reimbursement agreement with Hays County. Hays County is currently designing the widening of Hillside Terrace Road, which will require the relocation of GBRA's pipeline. The Reimbursement Agreement specifies that Hays County will be responsible for 100% of the project cost, and GBRA will be responsible for managing the relocation construction. Upon Motion by Director Ehrig, seconded by Director Carbonara, the Board unanimously approved Action Item 15 authorizing the General Manager/CEO to negotiate and execute a reimbursement agreement with Hays County related to the Hillside Terrace Pipeline Relocation Project.

Next, the Chairman called for **Action Item 16 - Consideration of and possible action authorizing the General Manager/CEO to negotiate and execute a contract with the highest ranked bidder based on a Competitive Sealed Proposal process, which provides the best value for the Guadalupe-Blanco River Authority, for selection of a general contractor for the Hillside Terrace Pipeline Relocation Project.** Mikk Griffin, Project Engineer, is seeking authorization to negotiate for the selection of a general contractor by means of a Competitive Sealed Proposal process and execute a contract with the highest ranked bidder for the Hillside Terrace Pipeline Relocation Project. Upon Motion by Director Blaschke, seconded by Director Meador, the Board unanimously approved Action Item 16 authorizing the General Manager/CEO to negotiate and execute a contract with the highest ranked bidder based on a Competitive Sealed Proposal process, which provides the best value for the Guadalupe-Blanco River Authority, for selection of a general contractor for the Hillside Terrace Pipeline Relocation Project.

The Chairman then called for **Discussion Item 17 - Discussion regarding consideration of award of an agreement between the Guadalupe-Blanco River Authority and a management consulting firm to provide services to conduct an annual evaluation of the**

performance of the General Manager/CEO. Vanessa Guerrero, Executive Manager of Administration, briefed the Board on contracting with a management consulting firm to conduct an annual evaluation of the performance of the General Manager/CEO. The Administration department obtained proposals from three qualified firms to perform such an evaluation.


The Chairman then called for **Discussion Item 18 - Discussion regarding Base Flow Report, Water Quality Index, long-term weather pattern, and condition of the Guadalupe Basin**. Charles Hickman, Executive Manager of Engineering, briefed the Board on the Guadalupe River basin hydrologic conditions, including rainfall percentages, events, and totals; the Base Flow Report; the U.S. Drought Monitor Seasonal Outlook; Edwards Aquifer level; Comal Springs level; Guadalupe River stream flows; El Niño modeled forecast; and elevation of Canyon Reservoir. Canyon Reservoir elevation was at 887.73 feet as of February 18, 2024. The J-17 Index Well level was at 644.1 feet as of February 18, 2024. Comal Springs was flowing around 177 cfs as of February 19, 2024.

There being no further business to be brought before the Board, the open meeting was recessed at 11:18 a.m. subject to call by the Chairman and convened the meeting in executive session at 11:36 a.m. pursuant to Chapter 551, Texas Government Code.

The open meeting reconvened at 11:53 a.m.

Chairman Patillo appointed Director Cohoon as Chairman, and Directors Old and Ehrig as members, of an ad-hoc committee to evaluate and make a recommendation to the Board for the hiring of a consultant to conduct an annual evaluation of the performance of the General Manager/CEO. The three proposals discussed in Discussion Item 17 will be available to each Director regardless of whether they serve on the ad-hoc committee.

There being no further business to be brought before the Board, the meeting was adjourned at 11:54 a.m. subject to a call by the Chairman.



Chairman



Secretary/Treasurer

Action Item No. 8

A RESOLUTION OF THE GUADALUPE-BLANCO RIVER AUTHORITY

WHEREAS, the Guadalupe-Blanco River Authority ("GBRA"), pursuant to subsection (n) of its Enabling Act ("Act"), has a right to sell, lease, or otherwise dispose of any property of any kind, real, person, or mixed, or any interest therein, which shall not be necessary to the carrying on of the business of GBRA; and

WHEREAS, Texas Water Code § 49.226 permits GBRA to sell, by public or private means or exchange for other land, real property or an interest in real property owned by the district upon finding by the board that it such property is surplus and not needed; and

WHEREAS, GBRA currently owns fee simple property in Gonzales County ("Property") which is further described in Exhibit A; and

WHEREAS, an adjacent landowner has requested GBRA grant a non-exclusive easement as depicted in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GUADALUPE-BLANCO RIVER AUTHORITY:

SECTION I. AFFIRMATION All of the above premises are hereby found to be true and correct legislative and factual findings of the GBRA and are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

SECTION II. SURPLUS FINDING The Board of Directors of GBRA hereby finds that certain portions of the Property are surplus and such interest in real property as being conveyed in Exhibit B is not needed.

SECTION III. SEVERABILITY If any provision, section, sentence, clause or phrase of this Resolution, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this resolution or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Board of Directors of GBRA in adopting, and of the Board Chair in approving this resolution, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision, or regulation.

SECTION IV. EFFECTIVE DATE This Resolution shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION V. PROPER NOTICE AND MEETING It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Passed and resolved the 21st day of February 2024.



Dennis L. Patillo, Chair
Board of Directors
Guadalupe-Blanco River Authority

ATTEST



Steve Ehrig, Secretary
Board of Directors
Guadalupe-Blanco River Authority

RESOLUTION

At a regular meeting of the Commissioners' Court of Gonzales County, Texas, held on the 13 day of August, 1962, at the Court House in Gonzales, Texas, at which John A. Romberg, County Judge, and B. B. Hindman, Fay Autry, Royce Towns and J. V. Lyles, Commissioners, were present, the following resolution was adopted:

WHEREAS, Texas Hydro-Electric Corporation has submitted to the Commissioners' Court a plat of a subdivision to be known as EXTENSION OF LAKESIDE SUBDIVISION, prepared by Louis H. Burchard, County Surveyor, of a certain tract of land situated in Edward Dickinson 1/4 League, Abstract No. 19, in Gonzales County, Texas, consisting of 27 lots numbered from Lot 77 through 103, both inclusive, together with access roads thereto, and has requested that such plat be approved by the Commissioners' Court of Gonzales County, Texas, and authorized to be recorded in the office of the County Clerk of Gonzales County; and

WHEREAS, it appearing to the Commissioners' Court of Gonzales County, Texas, that such plat of said subdivision should be approved and that the said Texas Hydro-Electric Corporation should be authorized to have same recorded in the office of the County Clerk of said County, as provided by law;

NOW, THEREFORE, be it resolved by the Commissioners' Court of Gonzales County, Texas, that such plat of such subdivision be and it is hereby approved and that the said Texas Hydro-Electric Corporation be, and it is hereby authorized to have the same recorded in the office of the County Clerk of Gonzales County, Texas, as provided by law.

John A. Romberg County Judge
B. B. Hindman Commissioner, Precinct No. 1
Fay Autry Commissioner, Precinct No. 2
Royce Towns Commissioner, Precinct No. 3
J. V. Lyles Commissioner, Precinct No. 4

I, Robert Boothe, County Clerk of Gonzales County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an excerpt from the Minutes of the Commissioners' Court of Gonzales County, Texas, showing the entire proceedings relative to the resolution therein contained, and that the attached plat and certificate are the original instruments submitted to the Commissioners' Court of Gonzales County, Texas, to which the foregoing resolution relates.

Given under my hand and seal of office this the 13 day of August 1962.

(U.S.)

Robert Boothe
County Clerk, Gonzales, County, Texas.

Filed August 13, 1962, at 11:40 o'clock A. M.
Recorded August 13, 1962, at 2:15 o'clock P. M.

SUBORDINATION AGREEMENT

52437

THE STATE OF TEXAS
COUNTY OF GONZALES

WHEREAS, by deed dated July 15th, A. D., 1961, and now of record in Volume 323, Pages 620-622, of the Deed Records of Gonzales County, Texas, Boyd Riggs and wife, Rena Riggs, did grant, sell and convey unto the said Charles J. Sanfilippo, Jr. and Harry Melvin Hall, a tract or parcel of land, 99.5 acres, more or less, out of the J. P. C. Henderson Survey, Abstract No. 140, situated in Gonzales County, Texas, described fully in said deed and did in said deed expressly retain the vendor's lien against said property, premises and improvements to secure the payment of one certain promissory note in the principal sum of \$26,000.00, payable to the order of Boyd Riggs and wife Rena Riggs at the office of the Citizens National Bank, Gonzales, Texas, and being the same note more fully described in said deed; and

WHEREAS, thereafter, the said Charles J. Sanfilippo, Jr. et ux and Harry Melvin Hall et ux executed an oil, gas and mineral lease to Austin P. Peirce, et al., under date of April 28th, A. D., 1962, on and covering said tract or parcel of land, more fully described in said lease, and it is now desired that the aforesaid lien shall at all times be made subordinate to said lease;

Now therefore, KNOW ALL MEN BY THESE PRESENTS, that we, the said Boyd Riggs and Rena Riggs, of Gonzales County, Texas, being the owners and holders of the aforesaid note and of the lien aforesaid, in consideration of the sum of ONE DOLLAR in hand paid in order to induce the said lessee and his assigns to acquire and develop said lease, do hereby agree that the lien aforesaid and the superior title retained in said deed shall be and the same are hereby made subordinate and subject and inferior to the oil, gas and mineral lease aforesaid, and in the event of foreclosure of said lien and the sale of said real estate or any part thereof or any interest therein pursuant to such foreclosure, it is agreed that the leasehold estate created by said lease shall in no wise be affected thereby. But the said lien and superior title shall not be impaired hereby as to the lessor's reversionary estate or possibility of reverter and as to the royalties that have been reserved by the lessor in said lease.

WITNESS our hands, this the 7th day of July, A. D. 1962.

Boyd Riggs
Boyd Riggs
Rena Riggs
Rena Riggs

THE STATE OF TEXAS
COUNTY OF GONZALES

BEFORE ME, the undersigned authority, on this day personally appeared Boyd Riggs, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed

**RESOLUTION OF THE
GUADALUPE-BLANCO RIVER AUTHORITY**

A Resolution by the Guadalupe-Blanco River Authority ("GBRA") declaring a public necessity for the acquisition of certain water pipeline permanent easements, temporary construction easements and other water system related facilities for diversion, treatment and delivery of water in connection therewith GBRA Carrizo Groundwater Supply Expansion Project (TX-130 Project) for portions of Caldwell, Hays and Guadalupe counties, over, across, upon and under private property and public property for the public purpose of the construction, operation, and maintenance of certain water pipeline permanent easements, temporary construction easements and other water system related facilities for diversion, treatment and delivery of water in connection related improvements, and authorizing all appropriate action by the General Manager/CEO, staff and retained attorneys, and engineering and technical consultants, in the institution and prosecution of condemnation proceedings to acquire any such needed water pipeline permanent easements, and temporary construction easements that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents and attorneys of GBRA to acquire such property interests; authorizing all other lawful action including the making of archaeological, environmental, geotechnical and linear surveys necessary and incidental to such acquisitions whether by purchase or eminent domain proceedings; declaring the sections of the Resolution to be severable

Parcel ER-05 – Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013, being a 0.1184 of one acre (5,159 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, Under Declaration of Trust dated May 28, 2013 by Special Warranty Deed dated December 31, 2021, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, said 0.1184 of one acre (5,159 square foot) easement and temporary construction easement being more particularly described in metes and bounds in Exhibit "B" attached hereto; and

Parcel ER-06 – David O. Marquez and Denise T. Marquez, husband and wife, being a 0.1366 of one acre (5,592 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 6.920 acres conveyed to David O. Marquez and Denise T. Marquez by Warranty Deed with Vendor's Lien dated May 30, 2014, as recorded in Document No. 142168, Official Public Records of Real Property, Caldwell County, Texas; said 0.1366 of one acre (5,592 square foot) easement and temporary construction easement being more particularly described by metes and bounds in Exhibit "C" attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF GUADALUPE-BLANCO RIVER AUTHORITY THAT:

SECTION 1: Public necessity requires that GBRA acquire certain water pipeline permanent easements, temporary construction easements and other system related improvements in connection therewith, over, across, upon and under certain privately owned real properties located in Caldwell, Hays and Guadalupe County, Texas, more fully described herein for the public purpose of construction, operation and maintenance of a water pipeline system and other system related improvements in connection with the TX-130 Project. Public necessity also requires that GBRA acquire the right of ingress and egress over and across such lands and adjacent lands either through purchase or by the process of eminent domain and that GBRA take all other lawful action necessary

authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates thereof with and in regard to the real property owners from whom such rights have been or are being acquired.

SECTION 5: If any provisions, sections, subsections, sentences, clauses or phase of this resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution shall not be affected thereby, it being the intent of the Board of Directors of GBRA in adopting this Resolution that no portion thereof, or provisions or regulation contained shall become inoperative for fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

PASSED AND RESOLVED on this 21st day of February, 2024.



Dennis L. Patillo, Chairman
Board of Directors
Guadalupe-Blanco River Authority

ATTEST:



Steve Ehrig, Secretary
Board of Directors
Guadalupe-Blanco River Authority

- 4) **North 11°33'55" West 799.70 feet** to a calculated point at the northwest corner of this easement, being in the north line of said 9.297 acre Nina S. Sells tract, and in the south line of that tract described as 31.282 acres conveyed to Nina Schmidt Sells, Trustee of the Nina Schmidt Sells Separate Property Trust dated December 8, 2008, as recorded in Volume 559, Page 836, Official Public Records of Real Property, Caldwell County, Texas;
- 5) **THENCE**, along the north line of this easement and said 9.297 acre Nina S. Sells tract, and the south line of said 31.282 acre Nina Schmidt Sells Separate Property Trust tract, **North 78°27'56" East 30.00 feet** to a calculated point at the northeast corner of this easement and said 9.297 acre Nina S. Sells tract, being the northwest corner of the remainder of said 63.30 acre Nina Schmidt Sells Separate Property Trust tract;
- 6) **THENCE**, along the east line of this easement and said 9.297 acre Nina S. Sells tract, and the west line of the remainder of said Nina Schmidt Sells Separate Property Trust tract, **South 11°33'55" East 802.06 feet** to a calculated point;

THENCE, continuing along the east line of this easement, crossing said 9.297 acre Nina S. Sells tract, the following two (2) courses, numbered 7 and 8:

- 7) **South 02°31'15" East 37.78 feet** to a calculated point, and

EXHIBIT "A"

NINA SCHMIDT SELLS,
TRUSTEE OF THE
NINA SCHMIDT SELLS
SEPARATE PROPERTY TRUST,
DATED DECEMBER 8, 2008
VOL. 559, PG. 836
O.P.R.P.C.C.T.
(31.282 ACRES)
JANUARY 29, 2009

SKETCH TO ACCOMPANY DESCRIPTION
OF 0.6077 AC. OR 26,472 SQ. FT. OF LAND OUT OF
THE JAMES GEORGE SURVEY NO. 7, ABSTRACT NO. 9
LOCKHART, CALDWELL COUNTY, TEXAS

SCALE 1" = 100'

JAMES GEORGE
SURVEY
SURVEY NO. 7
ABSTRACT NO. 9

LEGEND

- 1/2" IRON ROD FOUND
- △ CALCULATED POINT
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS
- O.P.R.R.P.C.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY CALDWELL COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- ℞ PROPERTY LINE
- R.O.W. RIGHT OF WAY
- (.....) RECORD INFORMATION



ER-03
WLE
0.6077 AC. OR
26,472 SQ. FT.

NINA SCHMIDT SELLS,
TRUSTEE OF THE
NINA SCHMIDT SELLS SEPARATE PROPERTY TRUST,
DATED DECEMBER 8, 2008
VOL. 559, PG. 830
O.P.R.P.C.C.T.
REMAINDER
(83.30 ACRES)
TRACT II
JANUARY 29, 2009

NINA S. SELLS
DOC. NO. 2022-002702
O.P.R.C.C.T.
(9.287 ACRES)
APRIL 7, 2022

NOTES:
1. THIS PROJECT IS REFERENCED, FOR ALL BEARING AND COORDINATE BASIS, TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011) EPOCH 2010.00. COORDINATES SHOWN HEREON ARE GRID COORDINATES.
2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY FIRST AMERICAN TITLE GUARANTY COMPANY FILE NO. 2248177-BUD, EFFECTIVE DATE AUGUST 16, 2023.

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	N70°40'59"W	30.00'
L2	N20°17'55"E	45.17'
L3	N02°31'15"W	28.35'
L4	N78°27'56"E	30.00'
L5	S02°31'15"E	37.78'
L6	S20°17'55"W	50.71'
L7	S70°40'59"E	32.82'



Chris Conrad

09/22/2023

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note: There is a description to accompany this plat.

EXISTING R.O.W.
OLD MCMAHAN ROAD
(C.R. NO. 208)
(VARIABLE WIDTH R.O.W.)

P.O.B.
GRID COORDINATES
N=13,886,192.40
E=2,397,800.73

CCAD ID 115383
SURVEYED BY:
REVISED: 09/22/23
ISSUED: 09/14/23
PAGE 4 OF 4

McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
MCGRAY.COM (512) 451-8591
TBPELS SURVEY FIRM #10095500

- 3) THENCE, along the east line of this easement, crossing said 74.189 acre Philip Boghosian Living Trust tract, South 08°33'48" East 30.00 feet to a calculated point at the southeast corner of this easement, being in the south line of said 74.189 acre Philip Boghosian Living Trust tract, and the existing north right-of-way line of Blackjack Street, from which a Texas Department of Transportation (TxDOT) Type I concrete monument found bears, with a curve to the right, whose delta angle is 18°07'03", radius is 2,914.79 feet, an arc distance of 921.69 feet, and the chord of which bears South 89°30'16" East 917.86 feet;
- 4) THENCE, along the south line of this easement, said 74.189 acre Philip Boghosian Living Trust tract, and the existing north right-of-way line of Blackjack Street, with a curve to the left, whose delta angle is 03°21'37", radius is 2,914.79 feet, an arc distance of 170.94 feet, and the chord of which bears South 79°45'24" West 170.92 feet to the POINT OF BEGINNING and containing 0.1184 of one acre (5,159 square feet) of land within these metes and bounds.

Bearing Basis Note

The bearings described herein are based on the Texas Coordinate System, South Central Zone (4204), NAD83 (2011) EPOCH 2010.00. The coordinates shown are grid coordinates.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPELS Survey Firm# 10095500



A handwritten signature in blue ink, appearing to read "Chris Conrad".

11/29/2023

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\HDR-22-179-GBRA Texas 130\Description\ER-05-0.1071 Ac WLE-R2_KS
Issued 09/22/2023; Revised 11/17/2023; 11/29/2023

CCAD ID 13694

EXHIBIT "C"

Parcel ER-06

0.1366 Acre Waterline Easement
James George Survey No. 7, Abstract No. 9
Caldwell County, Texas

DESCRIPTION FOR PARCEL ER-06

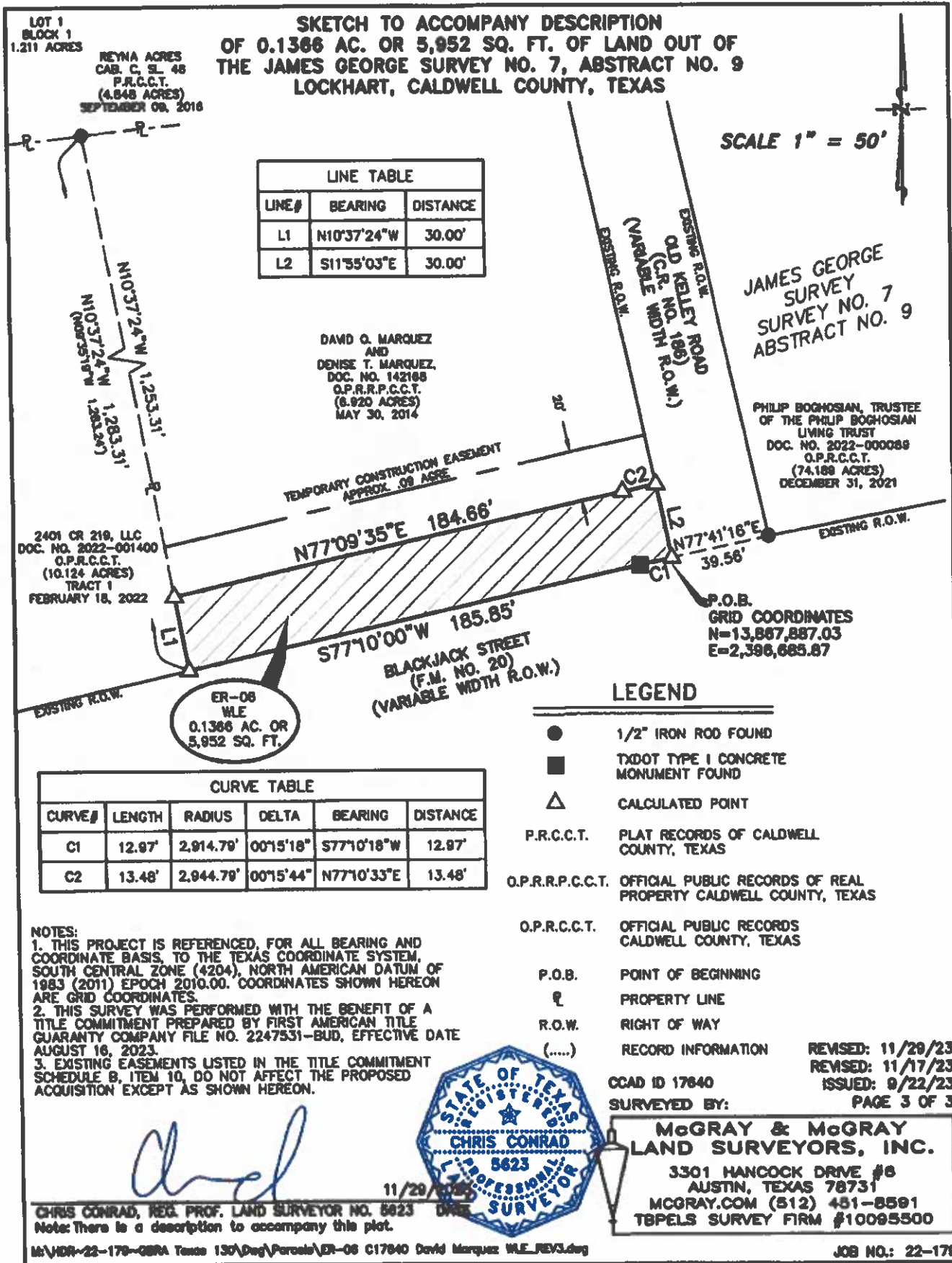
DESCRIPTION OF A 0.1366 OF ONE ACRE (5,952 SQUARE FOOT) EASEMENT, OUT OF THE JAMES GEORGE SURVEY NO. 7, ABSTRACT NO. 9, CALDWELL COUNTY, TEXAS, BEING A PORTION THAT TRACT DESCRIBED AS 6.920 ACRES CONVEYED TO DAVID O. MARQUEZ AND DENISE T. MARQUEZ BY WARRANT DEED WITH VENDOR'S LIEN DATED MAY 30, 2014, AS RECORDED IN DOCUMENT NO. 142168, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, CALDWELL COUNTY, TEXAS; SAID 0.1366 OF ONE ACRE (5,952 SQUARE FOOT) EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point at the southeast corner of this easement and said 6.920 acre Marquez tract, being at the intersection of the existing north right-of-way line of Blackjack Street (F.M. 20, variable width) and the existing west right-of-way line of Old Kelley Road (County Road 186, variable width), said POINT OF BEGINNING having Grid Coordinates of N=13,867,887.03, E=2,396,685.87, from which a 1/2-inch iron rod found at the southwest corner of that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013 by Special Warranty Deed, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, bears North 77°41'16" East 39.56 feet;

THENCE, along the south line of this easement and said 6.920 acre Marquez tract, and the existing north right-of-way line of Blackjack Street, the following two (2) courses, numbered 1 and 2:

- 1) with a curve to the left, whose delta angle is **00°15'18"**, radius is **2,914.79 feet**, an arc distance of **12.97 feet**, and the chord of which bears **South 77°10'18" West 12.97 feet** to a Texas Department of Transportation (TxDOT) Type I concrete monument found, and
- 2) **South 77°10'00" West 185.85 feet** to a calculated point at the southwest corner of this easement and said 6.920 acre Marquez tract, being the southeast corner of that tract described as 10.124 acres (Tract 1) conveyed to 2401 CR 219, LLC by Special Warranty Deed with Vendor's Lien, as recorded in Document No. 2022-001400, Official Public Records, Caldwell County, Texas;

EXHIBIT "C"



**RESOLUTION OF THE
GUADALUPE-BLANCO RIVER AUTHORITY**

A Resolution by the Guadalupe-Blanco River Authority ("GBRA") declaring a public necessity for the acquisition of court orders to obtain right of entry onto a certain property for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal in connection with the expansion of the Western Canyon water pipeline system to an additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas, in connection therewith, over, across, upon private property and public property, as shown on the map, Exhibit "A", as attached hereto; and authorizing all appropriate action by the General Manager/CEO, staff and retained attorneys, and engineering and technical consultants, in the institution and prosecution of court orders to acquire any such needed right of entry that cannot be acquired through negotiation; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents and attorneys of GBRA to acquire such right of entry; authorizing all other lawful action including the making of boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal necessary and incidental to such right of entry; declaring the sections of the Resolution to be severable one from the other in the event any section of this Resolution is determined to be invalid.

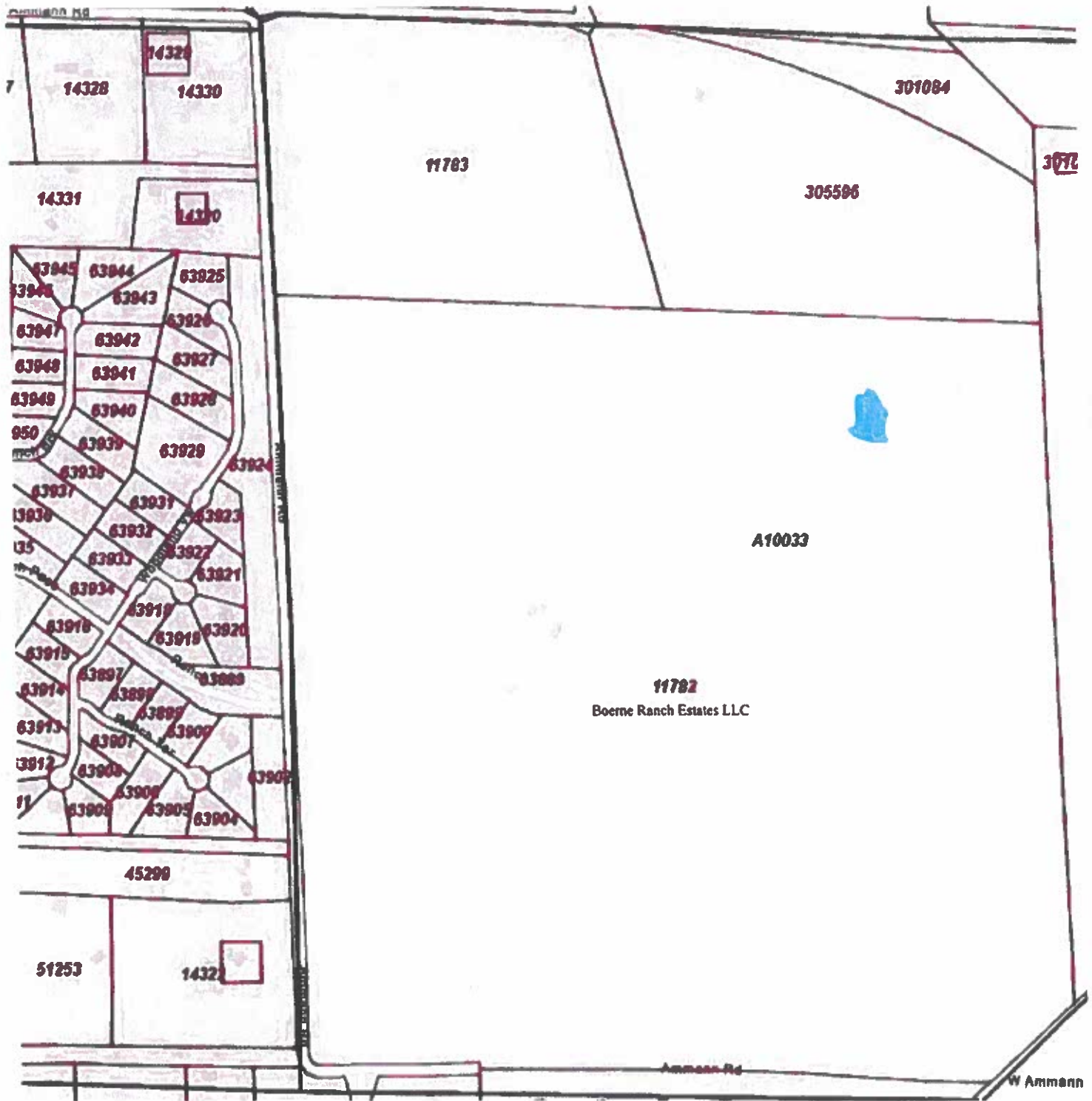
WHEREAS, GBRA pursuant to its powers of eminent domain as outlined in Section 49.222 of the Texas Water Code, its powers of right of entry as outlined in Section 49. 221 of the Texas Water Code, and other pertinent statutory authority has determined that court orders for right of entry for a certain property located in Kendall County, Texas, is necessary for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal in connection with the public

through negotiation by reason of its inability to agree with the owner thereof as to the right of entry, and to take any other legal action necessary and incidental to such court orders for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal in connection with the expansion of the Western Canyon water pipeline system for the additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas,

SECTION 3: All acts and proceedings done or initiated by the employees, agents and attorneys of GBRA for such property is hereby authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates thereof with and in regard to the property owner from whom such right of entry has been or is being acquired.

SECTION 4: If any provisions, sections, subsections, sentences, clauses or phase of this resolution or the application of same to any person or set of circumstances is for any reasons held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution shall not be affected thereby, it being the intent of the Board of Directors of GBRA in adopting this Resolution that no portion thereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof then all provisions of this Resolution are declared to be severable for that purpose.

Exhibit "A"



**Resolution of the Board of Directors
of the
Guadalupe-Blanco River Authority
Relating to the Investment Policy and Investment Strategy**

WHEREAS, Government Code Chapter 2256, commonly referred to as the Public Funds Investment Act (PFIA), requires the Guadalupe-Blanco River Authority (GBRA) to adopt by resolution a written investment policy regarding the investment of its funds and funds under its control, and to review, not less than annually, its investment policy and investment strategy and adopt an instrument stating that it has reviewed the investment policy and investment strategy, and

WHEREAS, the Public Funds Investment Act requires GBRA to designate by resolution one or more officers or employees to be responsible for the investment of its funds consistent with the investment policy and strategy.

NOW THEREFORE BE IT RESOLVED:

THAT the Board of Directors of GBRA has reviewed the investment policy and investment strategy;

AND THAT the Board of Directors adopts the investment policy inclusive of the following change:

- Update of title of existing investment officer.

AND THAT the Board of Directors designates individuals holding the following positions as investment officers responsible for the investment of GBRA funds:

- Executive Manager of Finance/CFO
- Deputy Executive Manager of Finance
- Revenue & Budget Supervisor

ADOPTED this 21st day of February 2024.



Chairman
Board of Directors
Guadalupe-Blanco River Authority

Attest:


Secretary/Treasurer
Board of Directors
Guadalupe-Blanco River Authority

selection should be made with judgment and care after assessing the source of funds, prevailing conditions, market risk, liquidity and probable income to be derived. These investment objectives encompass the interrelationship of safety, liquidity and return. GBRA's security selection process should strive for the appropriate mix of these factors.

403.205 Safety. Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective shall be to mitigate credit and interest rate risk.

Credit Risk and Concentration of Credit Risk – GBRA will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, and concentration of credit risk, the risk of loss attributed to the magnitude of investment in a single issuer by:

- Limiting investments to eligible investments as required by Policy Section 403.209,
- Pre-qualifying financial institutions and broker/dealers with which GBRA does business as required by Policy Sections 403.215 and 403.216, and
- Diversifying the investment portfolio so that potential losses on individual issuers will be minimized.

Interest Rate Risk – GBRA will manage the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates by limiting the maximum weighted average maturity of the investment portfolio to 2 years. GBRA will in addition:

- Structure the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity,
- Invest operating funds primarily in certificates of deposits, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds, and
- Diversify maturities and stagger purchase dates to minimize the impact of market movement over time.

Additional measures to ensure safety of GBRA's investments are to monitor the credit rating on all investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls to an unacceptable credit rating, the investment officer(s) will evaluate the condition affecting the rating and evaluate the possible loss of principal associated with liquidation of the investment.

403.206 Liquidity. Liquidity is the availability of cash and the ability to convert an investment to cash. GBRA's investment portfolio shall remain sufficiently liquid to enable GBRA to meet reasonably anticipated operating expenditures, minimize idle funds and minimize the need to sell investments at inopportune times. Because all possible cash demands cannot be anticipated, a portion of GBRA's investment portfolio shall be invested in shares of money market mutual funds or local government investment pools that offer same-day liquidity. In addition, a

of an issuing institution that is known or should have been known is unacceptable. Sufficient nonvolatile, liquid investments shall be maintained to pay all construction costs and debt service as needed. The restricted funds portfolio should consist of no more than 75% U.S. government, its agencies and instrumentalities securities with no more than 50% of the portfolio in any one instrumentality; 100% public fund investment pools, 100% money market accounts, 50% bank certificates of deposit; or 50% of other types of eligible instruments. The maximum final maturity of any restricted bond fund investment shall be five (5) years. The maximum final maturity of any restricted construction fund investment shall be the number of months within an original or revised construction draw schedule plus six months for retainage purposes. GBRA shall seek to earn a yearly average rate of return for restricted funds that meets or exceeds the average rate of return on U.S. Treasury securities of a maturity level comparable to GBRA's maturity level during that year.

403.209 Eligible Instruments. Funds in excess of current requirements may be invested to the extent and only if permitted by the laws of Texas and any applicable bond indentures in the following obligations or securities:

- A. Obligations of the United States of America or its agencies and instrumentalities having a stated final maturity of five years or less.
- B. Direct obligations of the State of Texas or its agencies and instrumentalities having a stated final maturity of five years or less.
- C. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, having a stated final maturity of five years or less.
- D. Obligations issued or guaranteed by states, agencies, counties, cities, and other political subdivisions of any state which are rated as to investment quality of at least single A or its equivalent by a nationally recognized rating firm and having a stated final maturity of five years or less.
- E. Fully collateralized repurchase agreements having a defined termination date, secured by cash or obligations as described in (A) above and pledged to GBRA and delivered to the paying agent, registrar or the depository approved by GBRA and placed through a primary government securities dealer or a financial institution doing business in this state.

remain an authorized investment, Texas FIT must be continuously rated no lower than AAA or AAAM or at an equivalent rating by at least one nationally recognized rating service. Additionally, Texas FIT must continuously maintain a weighted average portfolio maturity of 60 days or less.

403.210 Maturities. To the extent possible, investment maturities shall be scheduled to meet anticipated cash flow needs. Unless matched to a specific cash flow requirement, investment maturities shall be scheduled to limit market risk according to the guidelines listed below.

<u>Fund Type</u>	<u>Maximum Investment Term</u>	<u>Maximum Percentage Per Fund</u>
Operating	Less than two years	50%
Operating	Less than five years	100%
Restricted Funds	Less than five years	100%
Construction Funds	Draw Schedule	100%

403.211 Competitive Selection. For funds in which GBRA has management responsibility, it will be GBRA's practice to competitively bid investments that have maturity dates in order to obtain the highest possible interest rate within the terms requested. Investment bids may be solicited orally, in writing, or electronically from brokers in order to obtain at least three competitive offers. The bid meeting the terms requested, within the guidelines of this policy, and offering the highest rate of return shall be accepted.

403.212 Documentation. Documentation of each competitive investment selection shall be retained for at least one year pursuant to Texas State Library requirements. The documentation should detail the financial institutions bidding, the maturities quoted, and the yields offered.

403.213 Diversification. GBRA's investments should be diversified to reduce overall portfolio risks including: risk of default, market price volatility and liquidity. Diversification should include the avoidance of investment over-concentration in specific maturities, specific instruments, and specific institutions. It shall be a practice of GBRA to enhance investment diversification by utilizing commercial banks from throughout the Guadalupe River Basin when investing in certificates of deposit.

403.214 Safekeeping. All investments of GBRA shall list the Guadalupe-Blanco River Authority as owner. Certificates of deposit of GBRA shall be held in safekeeping by the issuer's safekeeping department, a third party custodian or by GBRA in its vault. Book entry investments shall be held in safekeeping by third

named investment officer shall not be held personally liable for investment losses as long as investment activity is within the guidelines of this policy and appropriate action is taken to mitigate further losses.

403.302 Investment Officers and Investment Committee. The Executive Manager of Finance/CFO, Deputy Executive Manager of Finance, and Revenue & Budget Supervisor are designated as investment officers responsible for the investment of funds. These positions will collectively comprise the Investment Committee. In addition to the execution of investment transactions & other treasury activities, ongoing review of the investment portfolio, and assurance of compliance with laws, regulations, and this policy, the Investment Committee will annually review and adopt a list of qualified security brokers that are authorized to engage in investment transactions on behalf of GBRA.

403.303 Reports. The Executive Manager of Finance/CFO shall provide a quarterly investment report to the Board of Directors that meets the provisions of the Public Funds Investment Act. This report shall list each investment owned during the quarter, maturity and market value data for each investment along with a description of the fund holding the investment. The market value information contained within this report shall be determined from daily financial newspapers, one of GBRA's security brokers, third party custodian, or a market pricing service. A summary statement of each pooled fund group identifying beginning and ending market values and the fully accrued interest must also be presented quarterly. These quarterly reports shall be prepared and signed by the Executive Manager of Finance/CFO and any other named investment officer and attest that the GBRA investment portfolio complies with GBRA's current investment policy and strategy. In addition to the quarterly investment reports, the GBRA investment officer(s) shall provide a report to the Board of Directors whenever the investment portfolio is inconsistent with the guidelines of this policy.

403.304 Market Conditions. The Executive Manager of Finance/CFO shall regularly monitor and adjust GBRA's investment portfolio in light of prevailing market conditions including interest rate trends, movement and shape of the yield curve and general economic conditions to determine the most opportune time for portfolio adjustments.

403.305 Financial Consultant. Periodically, but not less than biennially, an outside financial consultant will be retained by the Board of Directors to review GBRA's investment portfolio, to advise the Executive Manager of Finance/CFO, and provide a written report of his recommendations. The Executive Manager of Finance/CFO will thereafter deliver the report to the Board of Directors.

403.306 Continuing Education. The Executive Manager of Finance/CFO and any other named investment officer shall attend at least four hours biennially of training sessions relating to their investment responsibilities including training which specifically relates to investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Public Funds Investment Act and other applicable laws. This training shall be provided by an

Action Item No. 9

**RESOLUTION OF THE
GUADALUPE-BLANCO RIVER AUTHORITY**

A Resolution by the Guadalupe-Blanco River Authority ("GBRA") declaring a public necessity for the acquisition of certain water pipeline permanent easements, temporary construction easements and other water system related facilities for diversion, treatment and delivery of water in connection therewith GBRA Carrizo Groundwater Supply Expansion Project (TX-130 Project) for portions of Caldwell, Hays and Guadalupe counties, over, across, upon and under private property and public property for the public purpose of the construction, operation, and maintenance of certain water pipeline permanent easements, temporary construction easements and other water system related facilities for diversion, treatment and delivery of water in connection related improvements, and authorizing all appropriate action by the General Manager/CEO, staff and retained attorneys, and engineering and technical consultants, in the institution and prosecution of condemnation proceedings to acquire any such needed water pipeline permanent easements, and temporary construction easements that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents and attorneys of GBRA to acquire such property interests; authorizing all other lawful action including the making of archaeological, environmental, geotechnical and linear surveys necessary and incidental to such acquisitions whether by purchase or eminent domain proceedings; declaring the sections of the Resolution to be severable

Parcel ER-05 – Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013, being a 0.1184 of one acre (5,159 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, Under Declaration of Trust dated May 28, 2013 by Special Warranty Deed dated December 31, 2021, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, said 0.1184 of one acre (5,159 square foot) easement and temporary construction easement being more particularly described in metes and bounds in Exhibit "B" attached hereto; and

Parcel ER-06 – David O. Marquez and Denise T. Marquez, husband and wife, being a 0.1366 of one acre (5,592 square foot) easement, out of the James George Survey No. 7, Abstract No. 9, Caldwell County, Texas, being a portion that tract described as 6.920 acres conveyed to David O. Marquez and Denise T. Marquez by Warranty Deed with Vendor's Lien dated May 30, 2014, as recorded in Document No. 142168, Official Public Records of Real Property, Caldwell County, Texas; said 0.1366 of one acre (5,592 square foot) easement and temporary construction easement being more particularly described by metes and bounds in Exhibit "C" attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF GUADALUPE-BLANCO RIVER AUTHORITY THAT:

SECTION 1: Public necessity requires that GBRA acquire certain water pipeline permanent easements, temporary construction easements and other system related improvements in connection therewith, over, across, upon and under certain privately owned real properties located in Caldwell, Hays and Guadalupe County, Texas, more fully described herein for the public purpose of construction, operation and maintenance of a water pipeline system and other system related improvements in connection with the TX-130 Project. Public necessity also requires that GBRA acquire the right of ingress and egress over and across such lands and adjacent lands either through purchase or by the process of eminent domain and that GBRA take all other lawful action necessary

authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates thereof with and in regard to the real property owners from whom such rights have been or are being acquired.

SECTION 5: If any provisions, sections, subsections, sentences, clauses or phase of this resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution shall not be affected thereby, it being the intent of the Board of Directors of GBRA in adopting this Resolution that no portion thereof, or provisions or regulation contained shall become inoperative for fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

PASSED AND RESOLVED on this 21st day of February, 2024.



Dennis L. Patillo, Chairman
Board of Directors
Guadalupe-Blanco River Authority

ATTEST:



Steve Ehrig, Secretary
Board of Directors
Guadalupe-Blanco River Authority

- 4) **North 11°33'55" West 799.70 feet** to a calculated point at the northwest corner of this easement, being in the north line of said 9.297 acre Nina S. Sells tract, and in the south line of that tract described as 31.282 acres conveyed to Nina Schmidt Sells, Trustee of the Nina Schmidt Sells Separate Property Trust dated December 8, 2008, as recorded in Volume 559, Page 836, Official Public Records of Real Property, Caldwell County, Texas;
- 5) **THENCE**, along the north line of this easement and said 9.297 acre Nina S. Sells tract, and the south line of said 31.282 acre Nina Schmidt Sells Separate Property Trust tract, **North 78°27'56" East 30.00 feet** to a calculated point at the northeast corner of this easement and said 9.297 acre Nina S. Sells tract, being the northwest corner of the remainder of said 63.30 acre Nina Schmidt Sells Separate Property Trust tract;
- 6) **THENCE**, along the east line of this easement and said 9.297 acre Nina S. Sells tract, and the west line of the remainder of said Nina Schmidt Sells Separate Property Trust tract, **South 11°33'55" East 802.06 feet** to a calculated point;

THENCE, continuing along the east line of this easement, crossing said 9.297 acre Nina S. Sells tract, the following two (2) courses, numbered 7 and 8:

- 7) **South 02°31'15" East 37.78 feet** to a calculated point, and

EXHIBIT "A"

NINA SCHMIDT SELLS,
TRUSTEE OF THE
NINA SCHMIDT SELLS
SEPARATE PROPERTY TRUST,
DATED DECEMBER 8, 2008
VOL. 559, PG. 830
O.P.R.P.C.C.T.
(31.282 ACRES)
JANUARY 28, 2009

SKETCH TO ACCOMPANY DESCRIPTION
OF 0.6077 AC. OR 26,472 SQ. FT. OF LAND OUT OF
THE JAMES GEORGE SURVEY NO. 7, ABSTRACT NO. 9
LOCKHART, CALDWELL COUNTY, TEXAS

SCALE 1" = 100'

JAMES GEORGE
SURVEY
SURVEY NO. 7
ABSTRACT NO. 9

LEGEND

- 1/2" IRON ROD FOUND
- △ CALCULATED POINT
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS
- O.P.R.R.P.C.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY CALDWELL COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- ℞ PROPERTY LINE
- R.O.W. RIGHT OF WAY
- (.....) RECORD INFORMATION



ER-03
WLE
0.6077 AC. OR
26,472 SQ. FT.

NINA SCHMIDT SELLS,
TRUSTEE OF THE
NINA SCHMIDT SELLS SEPARATE PROPERTY TRUST,
DATED DECEMBER 8, 2008
VOL. 559, PG. 830
O.P.R.P.C.C.T.
REMAINDER
(63.30 ACRES)
TRACT II
JANUARY 29, 2009

NINA S. SELLS
DOC. NO. 2022-002702
O.P.R.C.C.T.
(9.297 ACRES)
APRIL 7, 2022

NOTES:
1. THIS PROJECT IS REFERENCED, FOR ALL BEARING AND COORDINATE BASIS, TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011) EPOCH 2010.00. COORDINATES SHOWN HEREON ARE GRID COORDINATES.
2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY FIRST AMERICAN TITLE GUARANTY COMPANY FILE NO. 2248177-BUD, EFFECTIVE DATE AUGUST 16, 2023.

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	N70°40'59"W	30.00'
L2	N20°17'55"E	45.17'
L3	N02°31'15"W	29.35'
L4	N78°27'56"E	30.00'
L5	S02°31'15"E	37.78'
L6	S20°17'55"W	50.71'
L7	S70°40'59"E	32.82'



Chris Conrad

09/22/2023

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note: There is a description to accompany this plat.

EXISTING R.O.W.
OLD MCMAHAN ROAD
(C.R. NO. 209)
(VARIABLE WIDTH R.O.W.)

P.O.B.
GRID COORDINATES
N=13,866,192.40
E=2,397,600.73

CCAD ID 115383
SURVEYED BY:

REVISED: 09/22/23
ISSUED: 09/14/23
PAGE 4 OF 4

McGRAY & McGRAY
LAND SURVEYORS, INC.

3301 HANCOCK DRIVE #5
AUSTIN, TEXAS 78731
MCGRAY.COM (512) 451-8591
TBPELS SURVEY FIRM #10095800

- 3) THENCE, along the east line of this easement, crossing said 74.189 acre Philip Boghosian Living Trust tract, South 08°33'48" East 30.00 feet to a calculated point at the southeast corner of this easement, being in the south line of said 74.189 acre Philip Boghosian Living Trust tract, and the existing north right-of-way line of Blackjack Street, from which a Texas Department of Transportation (TxDOT) Type I concrete monument found bears, with a curve to the right, whose delta angle is 18°07'03", radius is 2,914.79 feet, an arc distance of 921.69 feet, and the chord of which bears South 89°30'16" East 917.86 feet;
- 4) THENCE, along the south line of this easement, said 74.189 acre Philip Boghosian Living Trust tract, and the existing north right-of-way line of Blackjack Street, with a curve to the left, whose delta angle is 03°21'37", radius is 2,914.79 feet, an arc distance of 170.94 feet, and the chord of which bears South 79°45'24" West 170.92 feet to the POINT OF BEGINNING and containing 0.1184 of one acre (5,159 square feet) of land within these metes and bounds.

Bearing Basis Note

The bearings described herein are based on the Texas Coordinate System, South Central Zone (4204), NAD83 (2011) EPOCH 2010.00. The coordinates shown are grid coordinates.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
 3301 Hancock Dr., Ste. 6
 Austin, TX 78731 (512) 451-8591
 TBPELS Survey Firm# 10095500



A handwritten signature in blue ink, appearing to read "Chris Conrad".

11/29/2023

Chris Conrad, Reg. Professional Land Surveyor No. 5623 Date
 Note: There is a plat to accompany this description.
 M:\HDR-22-179-GBRA Texas 130\Description\ER-05-0.1071 Ac WLE-R2_KS
 Issued 09/22/2023; Revised 11/17/2023; 11/29/2023

CCAD ID 13694

EXHIBIT "C"

Parcel ER-06

0.1366 Acre Waterline Easement
James George Survey No. 7, Abstract No. 9
Caldwell County, Texas

DESCRIPTION FOR PARCEL ER-06

DESCRIPTION OF A 0.1366 OF ONE ACRE (5,952 SQUARE FOOT) EASEMENT, OUT OF THE JAMES GEORGE SURVEY NO. 7, ABSTRACT NO. 9, CALDWELL COUNTY, TEXAS, BEING A PORTION THAT TRACT DESCRIBED AS 6.920 ACRES CONVEYED TO DAVID O. MARQUEZ AND DENISE T. MARQUEZ BY WARRANT DEED WITH VENDOR'S LIEN DATED MAY 30, 2014, AS RECORDED IN DOCUMENT NO. 142168, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, CALDWELL COUNTY, TEXAS; SAID 0.1366 OF ONE ACRE (5,952 SQUARE FOOT) EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point at the southeast corner of this easement and said 6.920 acre Marquez tract, being at the intersection of the existing north right-of-way line of Blackjack Street (F.M. 20, variable width) and the existing west right-of-way line of Old Kelley Road (County Road 186, variable width), said POINT OF BEGINNING having Grid Coordinates of N=13,867,887.03, E=2,396,685.87, from which a 1/2-inch iron rod found at the southwest corner of that tract described as 74.189 acres conveyed to Philip Boghosian, as Trustee of the Philip Boghosian Living Trust, under Declaration of Trust dated May 28, 2013 by Special Warranty Deed, as recorded in Document No. 2022-000089, Official Public Records, Caldwell County, Texas, bears North 77°41'16" East 39.56 feet;

THENCE, along the south line of this easement and said 6.920 acre Marquez tract, and the existing north right-of-way line of Blackjack Street, the following two (2) courses, numbered 1 and 2:

- 1) with a curve to the left, whose delta angle is **00°15'18"**, radius is **2,914.79 feet**, an arc distance of **12.97 feet**, and the chord of which bears **South 77°10'18" West 12.97 feet** to a Texas Department of Transportation (TxDOT) Type I concrete monument found, and
- 2) **South 77°10'00" West 185.85 feet** to a calculated point at the southwest corner of this easement and said 6.920 acre Marquez tract, being the southeast corner of that tract described as 10.124 acres (Tract 1) conveyed to 2401 CR 219, LLC by Special Warranty Deed with Vendor's Lien, as recorded in Document No. 2022-001400, Official Public Records, Caldwell County, Texas;

EXHIBIT "C"

SKETCH TO ACCOMPANY DESCRIPTION
OF 0.1366 AC. OR 5,952 SQ. FT. OF LAND OUT OF
THE JAMES GEORGE SURVEY NO. 7, ABSTRACT NO. 9
LOCKHART, CALDWELL COUNTY, TEXAS

LOT 1
BLOCK 1
1.211 ACRES
REYNA ACRES
CAB. C. SL. 48
P.R.C.C.T.
(4.848 ACRES)
SEPTEMBER 08, 2018

SCALE 1" = 50'

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	N10°37'24"W	30.00'
L2	S11°35'03"E	30.00'

DAVID O. MARQUEZ
AND
DENISE T. MARQUEZ,
DOC. NO. 142168
O.P.R.R.P.C.C.T.
(8.920 ACRES)
MAY 30, 2014

JAMES GEORGE
SURVEY
SURVEY NO. 7
ABSTRACT NO. 9

PHILIP BOGHOSIAN, TRUSTEE
OF THE PHILIP BOGHOSIAN
LIVING TRUST
DOC. NO. 2022-000089
O.P.R.C.C.T.
(74.189 ACRES)
DECEMBER 31, 2021

2401 CR 218, LLC
DOC. NO. 2022-001400
O.P.R.C.C.T.
(10.124 ACRES)
TRACT 1
FEBRUARY 18, 2022

TEMPORARY CONSTRUCTION EASEMENT
APPROX. .08 ACRES

N77°09'35"E 184.66'

P.O.B.
GRID COORDINATES
N=13,867,887.03
E=2,366,685.87

S77°10'00"W 185.85'

BLACKJACK STREET
(F.M. NO. 20)
(VARIABLE WIDTH R.O.W.)

ER-06
WLE
0.1366 AC. OR
5,952 SQ. FT.

LEGEND

- 1/2" IRON ROD FOUND
- TxDOT TYPE I CONCRETE MONUMENT FOUND
- △ CALCULATED POINT

P.R.C.C.T. PLAT RECORDS OF CALDWELL COUNTY, TEXAS

O.P.R.R.P.C.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY CALDWELL COUNTY, TEXAS

O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS

P.O.B. POINT OF BEGINNING

ℙ PROPERTY LINE

R.O.W. RIGHT OF WAY

(.....) RECORD INFORMATION

REVISED: 11/29/23

REVISED: 11/17/23

ISSUED: 9/22/23

PAGE 3 OF 3

CCAD ID 17840

SURVEYED BY:

McGRAY & McGRAY
LAND SURVEYORS, INC.

3301 HANCOCK DRIVE #8
AUSTIN, TEXAS 78731

MCGRAY.COM (512) 451-8591
TBPELS SURVEY FIRM #10095500

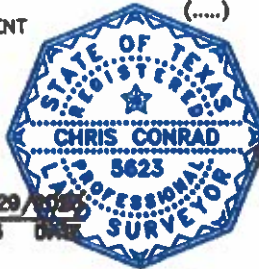
CURVE TABLE					
CURVE#	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	12.97'	2,914.79'	00°15'18"	S77°10'18"W	12.97'
C2	13.48'	2,944.79'	00°15'44"	N77°10'33"E	13.48'

NOTES:

1. THIS PROJECT IS REFERENCED, FOR ALL BEARING AND COORDINATE BASIS, TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011) EPOCH 2010.00. COORDINATES SHOWN HEREON ARE GRID COORDINATES.

2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY FIRST AMERICAN TITLE GUARANTY COMPANY FILE NO. 2247531-BUD, EFFECTIVE DATE AUGUST 18, 2023.

3. EXISTING EASEMENTS LISTED IN THE TITLE COMMITMENT SCHEDULE B, ITEM 10, DO NOT AFFECT THE PROPOSED ACQUISITION EXCEPT AS SHOWN HEREON.



Chris Conrad

11/29/23

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623

Note: There is a description to accompany this plat.

Mc\HDR-23-178-GBRA Texas 130\Draw\Parcels\ER-06 C17840 David Marquez WLE_REV3.dwg

JOB NO.: 22-179

Action Item No. 10

**RESOLUTION OF THE
GUADALUPE-BLANCO RIVER AUTHORITY**

A Resolution by the Guadalupe-Blanco River Authority ("GBRA") declaring a public necessity for the acquisition of court orders to obtain right of entry onto a certain property for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal in connection with the expansion of the Western Canyon water pipeline system to an additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas, in connection therewith, over, across, upon private property and public property, as shown on the map, Exhibit "A", as attached hereto; and authorizing all appropriate action by the General Manager/CEO, staff and retained attorneys, and engineering and technical consultants, in the institution and prosecution of court orders to acquire any such needed right of entry that cannot be acquired through negotiation; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents and attorneys of GBRA to acquire such right of entry; authorizing all other lawful action including the making of boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal necessary and incidental to such right of entry; declaring the sections of the Resolution to be severable one from the other in the event any section of this Resolution is determined to be invalid.

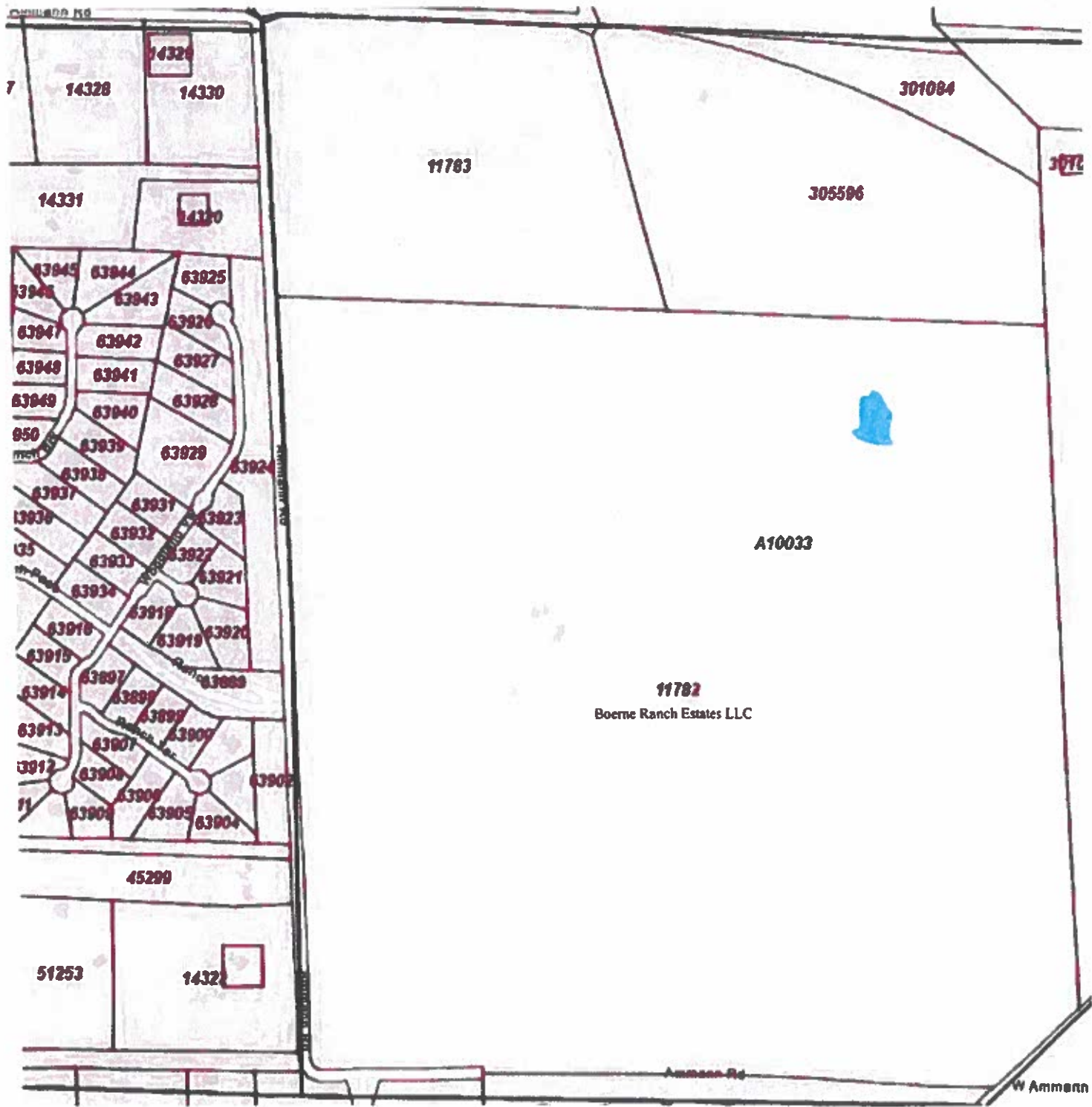
WHEREAS, GBRA pursuant to its powers of eminent domain as outlined in Section 49.222 of the Texas Water Code, its powers of right of entry as outlined in Section 49. 221 of the Texas Water Code, and other pertinent statutory authority has determined that court orders for right of entry for a certain property located in Kendall County, Texas, is necessary for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal in connection with the public

through negotiation by reason of its inability to agree with the owner thereof as to the right of entry, and to take any other legal action necessary and incidental to such court orders for the purpose of making boundary, topographic, environmental, archeological, and geotechnical surveys, and appraisal in connection with the expansion of the Western Canyon water pipeline system for the additional delivery point for the City of Boerne and City of Fair Oaks Ranch Project in Kendall County, Texas,

SECTION 3: All acts and proceedings done or initiated by the employees, agents and attorneys of GBRA for such property is hereby authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates thereof with and in regard to the property owner from whom such right of entry has been or is being acquired.

SECTION 4: If any provisions, sections, subsections, sentences, clauses or phrase of this resolution or the application of same to any person or set of circumstances is for any reasons held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution shall not be affected thereby, it being the intent of the Board of Directors of GBRA in adopting this Resolution that no portion thereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof then all provisions of this Resolution are declared to be severable for that purpose.

Exhibit "A"



Action Item No. 12

**Resolution of the Board of Directors
of the
Guadalupe-Blanco River Authority
Relating to the Investment Policy and Investment Strategy**

WHEREAS, Government Code Chapter 2256, commonly referred to as the Public Funds Investment Act (PFIA), requires the Guadalupe-Blanco River Authority (GBRA) to adopt by resolution a written investment policy regarding the investment of its funds and funds under its control, and to review, not less than annually, its investment policy and investment strategy and adopt an instrument stating that it has reviewed the investment policy and investment strategy, and

WHEREAS, the Public Funds Investment Act requires GBRA to designate by resolution one or more officers or employees to be responsible for the investment of its funds consistent with the investment policy and strategy.

NOW THEREFORE BE IT RESOLVED:

THAT the Board of Directors of GBRA has reviewed the investment policy and investment strategy;

AND THAT the Board of Directors adopts the investment policy inclusive of the following change:

- Update of title of existing investment officer.

AND THAT the Board of Directors designates individuals holding the following positions as investment officers responsible for the investment of GBRA funds:

- Executive Manager of Finance/CFO
- Deputy Executive Manager of Finance
- Revenue & Budget Supervisor

ADOPTED this 21st day of February 2024.



Chairman
Board of Directors
Guadalupe-Blanco River Authority

Attest:



Secretary/Treasurer
Board of Directors
Guadalupe-Blanco River Authority

selection should be made with judgment and care after assessing the source of funds, prevailing conditions, market risk, liquidity and probable income to be derived. These investment objectives encompass the interrelationship of safety, liquidity and return. GBRA's security selection process should strive for the appropriate mix of these factors.

403.205 Safety. Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective shall be to mitigate credit and interest rate risk.

Credit Risk and Concentration of Credit Risk – GBRA will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, and concentration of credit risk, the risk of loss attributed to the magnitude of investment in a single issuer by:

- Limiting investments to eligible investments as required by Policy Section 403.209,
- Pre-qualifying financial institutions and broker/dealers with which GBRA does business as required by Policy Sections 403.215 and 403.216, and
- Diversifying the investment portfolio so that potential losses on individual issuers will be minimized.

Interest Rate Risk – GBRA will manage the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates by limiting the maximum weighted average maturity of the investment portfolio to 2 years. GBRA will in addition:

- Structure the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity,
- Invest operating funds primarily in certificates of deposits, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds, and
- Diversify maturities and stagger purchase dates to minimize the impact of market movement over time.

Additional measures to ensure safety of GBRA's investments are to monitor the credit rating on all investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls to an unacceptable credit rating, the investment officer(s) will evaluate the condition affecting the rating and evaluate the possible loss of principal associated with liquidation of the investment.

403.206 Liquidity. Liquidity is the availability of cash and the ability to convert an investment to cash. GBRA's investment portfolio shall remain sufficiently liquid to enable GBRA to meet reasonably anticipated operating expenditures, minimize idle funds and minimize the need to sell investments at inopportune times. Because all possible cash demands cannot be anticipated, a portion of GBRA's investment portfolio shall be invested in shares of money market mutual funds or local government investment pools that offer same-day liquidity. In addition, a

of an issuing institution that is known or should have been known is unacceptable. Sufficient nonvolatile, liquid investments shall be maintained to pay all construction costs and debt service as needed. The restricted funds portfolio should consist of no more than 75% U.S. government, its agencies and instrumentalities securities with no more than 50% of the portfolio in any one instrumentality; 100% public fund investment pools, 100% money market accounts, 50% bank certificates of deposit; or 50% of other types of eligible instruments. The maximum final maturity of any restricted bond fund investment shall be five (5) years. The maximum final maturity of any restricted construction fund investment shall be the number of months within an original or revised construction draw schedule plus six months for retainage purposes. GBRA shall seek to earn a yearly average rate of return for restricted funds that meets or exceeds the average rate of return on U.S. Treasury securities of a maturity level comparable to GBRA's maturity level during that year.

403.209 Eligible Instruments. Funds in excess of current requirements may be invested to the extent and only if permitted by the laws of Texas and any applicable bond indentures in the following obligations or securities:

- A. Obligations of the United States of America or its agencies and instrumentalities having a stated final maturity of five years or less.
- B. Direct obligations of the State of Texas or its agencies and instrumentalities having a stated final maturity of five years or less.
- C. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, having a stated final maturity of five years or less.
- D. Obligations issued or guaranteed by states, agencies, counties, cities, and other political subdivisions of any state which are rated as to investment quality of at least single A or its equivalent by a nationally recognized rating firm and having a stated final maturity of five years or less.
- E. Fully collateralized repurchase agreements having a defined termination date, secured by cash or obligations as described in (A) above and pledged to GBRA and delivered to the paying agent, registrar or the depository approved by GBRA and placed through a primary government securities dealer or a financial institution doing business in this state.

remain an authorized investment, Texas FIT must be continuously rated no lower than AAA or AAAm or at an equivalent rating by at least one nationally recognized rating service. Additionally, Texas FIT must continuously maintain a weighted average portfolio maturity of 60 days or less.

403.210 Maturities. To the extent possible, investment maturities shall be scheduled to meet anticipated cash flow needs. Unless matched to a specific cash flow requirement, investment maturities shall be scheduled to limit market risk according to the guidelines listed below.

<u>Fund Type</u>	<u>Maximum Investment Term</u>	<u>Maximum Percentage Per Fund</u>
Operating	Less than two years	50%
Operating	Less than five years	100%
Restricted Funds	Less than five years	100%
Construction Funds	Draw Schedule	100%

403.211 Competitive Selection. For funds in which GBRA has management responsibility, it will be GBRA's practice to competitively bid investments that have maturity dates in order to obtain the highest possible interest rate within the terms requested. Investment bids may be solicited orally, in writing, or electronically from brokers in order to obtain at least three competitive offers. The bid meeting the terms requested, within the guidelines of this policy, and offering the highest rate of return shall be accepted.

403.212 Documentation. Documentation of each competitive investment selection shall be retained for at least one year pursuant to Texas State Library requirements. The documentation should detail the financial institutions bidding, the maturities quoted, and the yields offered.

403.213 Diversification. GBRA's investments should be diversified to reduce overall portfolio risks including: risk of default, market price volatility and liquidity. Diversification should include the avoidance of investment over-concentration in specific maturities, specific instruments, and specific institutions. It shall be a practice of GBRA to enhance investment diversification by utilizing commercial banks from throughout the Guadalupe River Basin when investing in certificates of deposit.

403.214 Safekeeping. All investments of GBRA shall list the Guadalupe-Blanco River Authority as owner. Certificates of deposit of GBRA shall be held in safekeeping by the issuer's safekeeping department, a third party custodian or by GBRA in its vault. Book entry investments shall be held in safekeeping by third

named investment officer shall not be held personally liable for investment losses as long as investment activity is within the guidelines of this policy and appropriate action is taken to mitigate further losses.

403.302 Investment Officers and Investment Committee. The Executive Manager of Finance/CFO, Deputy Executive Manager of Finance, and Revenue & Budget Supervisor are designated as investment officers responsible for the investment of funds. These positions will collectively comprise the Investment Committee. In addition to the execution of investment transactions & other treasury activities, ongoing review of the investment portfolio, and assurance of compliance with laws, regulations, and this policy, the Investment Committee will annually review and adopt a list of qualified security brokers that are authorized to engage in investment transactions on behalf of GBRA.

403.303 Reports. The Executive Manager of Finance/CFO shall provide a quarterly investment report to the Board of Directors that meets the provisions of the Public Funds Investment Act. This report shall list each investment owned during the quarter, maturity and market value data for each investment along with a description of the fund holding the investment. The market value information contained within this report shall be determined from daily financial newspapers, one of GBRA's security brokers, third party custodian, or a market pricing service. A summary statement of each pooled fund group identifying beginning and ending market values and the fully accrued interest must also be presented quarterly. These quarterly reports shall be prepared and signed by the Executive Manager of Finance/CFO and any other named investment officer and attest that the GBRA investment portfolio complies with GBRA's current investment policy and strategy. In addition to the quarterly investment reports, the GBRA investment officer(s) shall provide a report to the Board of Directors whenever the investment portfolio is inconsistent with the guidelines of this policy.

403.304 Market Conditions. The Executive Manager of Finance/CFO shall regularly monitor and adjust GBRA's investment portfolio in light of prevailing market conditions including interest rate trends, movement and shape of the yield curve and general economic conditions to determine the most opportune time for portfolio adjustments.

403.305 Financial Consultant. Periodically, but not less than biennially, an outside financial consultant will be retained by the Board of Directors to review GBRA's investment portfolio, to advise the Executive Manager of Finance/CFO, and provide a written report of his recommendations. The Executive Manager of Finance/CFO will thereafter deliver the report to the Board of Directors.

403.306 Continuing Education. The Executive Manager of Finance/CFO and any other named investment officer shall attend at least four hours biennially of training sessions relating to their investment responsibilities including training which specifically relates to investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Public Funds Investment Act and other applicable laws. This training shall be provided by an